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JUN 27 2014

CLERK, U.S. DISTRICT COURT
ST. PAUL, MINNESOTA

UNITED STATES DISTRICT COURT

DISTRICT OF MINNESOTA

R. Couch, Plaintiff

14cv2386 SRN/JJK
Case No. _____

vs.

Diversified Consultants, Inc,

Diversified Credit, Inc , Defendants

Demand For Jury Trial

VERIFIED COMPLAINT for RELIEF

Plaintiff, Rae Couch, sues Defendants, Diversified Consultants, Inc, and
Diversified Credit, Inc, and for this complaint alleges:

Nature of the Action

1. This is a complaint for money damages.
2. Defendant has violated the Telephone Consumer Protection Act
(TCPA) Sec. 227., 47 USC § 227(b)(1)(iii) and 47 U.S.C., §227(b)(2)(5), and

SCANNED

 JUN 30 2014

U.S. DISTRICT COURT ST. PAUL

Defendant has violated the Fair Debt Collection Practices Act, 15 USC § 806 (5) and (6). Plaintiff contends that the Defendants have violated such laws by repeatedly harassing Plaintiff in attempts to collect alleged but nonexistent debt.

3. Plaintiff's, Rae Couch, address is in Minnesota.

4. Upon information and belief Defendant, Diversified Consultants Inc, is a foreign corporation, authorized to do business in Minnesota with a registered agent in Minnesota who is Incorp Services Inc, 901 Marquette Ave, #1675, Minneapolis, MN 55402-3275. See Exhibit "A".

5. Upon information and belief Defendant, Diversified Consultants Inc, is authorized as a debt collector in Minnesota and is "active" with the Department of Commerce's Licensing Division. See Exhibit "B".

6. Upon information and belief Defendant, Diversified Credit Inc, is a Minnesota corporation, authorized to do business in Minnesota with a registered agent in Minnesota who is Incorp Services Inc, 901 Marquette Ave, #1675, Minneapolis, MN 55402-3275. See Exhibit "A".

7. Upon information and belief Defendant, Diversified Credit, is not authorized as a debt collector in Minnesota and is not "active" with the Department of Commerce's Licensing Division, as no registration or license can be found. See Exhibit "B".

8. This court has jurisdiction to grant relief,

JURISDICTION AND VENUE

9. Jurisdiction of this Court arises under 47 U.S.C. §227(b)(3), and supplemental jurisdiction exists for the state law claims pursuant to 28 U.S.C. §1367.

10. Venue is proper pursuant to 28 U.S.C. §1391b. Venue in this District is proper in that the Plaintiff's address is here, the Defendants transact business here, and the conduct complained of occurred here.

11. This is an action for damages which exceed \$10,000.00.

FACTUAL ALLEGATIONS

12. From November 18th, 2013 to January 17, 2014, Diversified Consultants Inc/Diversified Credit Inc, violated the TCPA by repeatedly calling Plaintiff's cell phone, using automatic telephone dialing system.

13. From November 18th, 2013 to January 17, 2014, Diversified Consultants Inc/Diversified Credit Inc, violated the TCPA by calling Plaintiff's cell phone 53 times with no prior permission given by Plaintiff.

14. From November 18th, 2013 to January 17, 2014, Diversified Consultants Inc/Diversified Credit Inc, violated the TCPA by calling Plaintiff's cell phone without prior permission or for emergency purposes.

15. Plaintiff has no prior or present established relationship with Defendants, and has never given Defendants express, or implied permission to call Plaintiff's cellular phone.

COUNT I
VIOLATIONS OF THE TELEPHONE
CONSUMER PROTECTION ACT 47 U.S.C. §227

16. Plaintiff alleges and incorporates the information in paragraphs 1 through 14.

17. Defendants Diversified Consultants Inc/Diversified Credit Inc have demonstrated willful or knowing non-compliance with 47 U.S.C. §227(b)(1)(A) by using an automatic telephone dialing system to call the Plaintiff's number assigned to a cellular telephone service.

18. Defendants Diversified Consultants Inc/Diversified Credit Inc have committed 52 separate violations of 47 U.S.C. §227(b)(1)(A) and Plaintiff is entitled to damages of \$1500 per violation pursuant to 47 U.S.C. §227(b)(3)(B).

19. Defendants, Diversified Consultants Inc/Diversified Credit Inc have demonstrated willful or knowing non-compliance with 47 U.S.C. §227(b)(1)(A) by calling the Plaintiff's number assigned to a cellular telephone service. The Plaintiff has never given Diversified Consultants Inc/Diversified Credit Inc permission to call Plaintiff's cell phone. Plaintiff is entitled to damages of \$1500 per violation pursuant to 47 U.S.C. §227(b)(3)(B). Defendants Diversified Consultants

Inc/Diversified Credit Inc and Plaintiff, Rae Couch do not have an established business relationship within the meaning of 47 U.S.C. §227.

COUNT II
VIOLATION OF FAIR DEBT COLLECTION PRACTICES ACT,
SC § 1692d 806 (5) and (6) BY DEFENDANT

20. Plaintiff alleges and incorporates the information in paragraphs 1 through 19.

21. Defendants violated 15 USC § 1692d 806 (5) and (6) by causing a telephone to ring with intent to harass.

22. 15 USC 806 (5) states:

(5) Causing a telephone to ring or engaging any person in telephone conversation repeatedly or continuously with intent to annoy, abuse, or harass any person at the called number.

WHEREFORE, Plaintiff demands judgment for damages against Diversified Consultants Inc and Diversified Credit Inc, for actual or statutory damages, and punitive damages, attorney's fees and costs, other such relief as may be just.


Respectfully Submitted,


R. Couch

1960 Cliff Lake Rd
#270, Eagan
Minnesota 55122

VERIFICATION

I, Rae Couch, have read the foregoing complaint and examined any appendices referenced therein. The facts stated in the complaint are true. The appendices are true and fair copies of the recited instruments.



Rae Couch

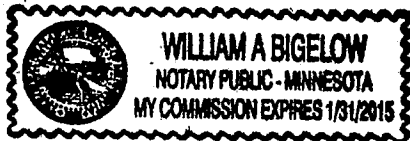
6/23/2014 date signed

The above named Affiant appeared before me, a Notary, subscribed, sworn

under oath this 23rd day of JUNE, 2014.



Notary



My commission expires: 1/31/2015 seal